

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** Chairman Jon C. Sesso, on March 9, 2009 at 9:00  
A.M., in Room 102 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Jon C. Sesso, Chairman (D)  
Rep. Duane Ankney (R)  
Rep. Dennis Getz (D)  
Rep. Bill E. Glaser (R)  
Rep. Ray Hawk (R)  
Rep. Teresa K. Henry (D)  
Rep. Cynthia Hiner (D)  
Rep. Roy Hollandsworth (R)  
Rep. Galen Hollenbaugh (D)  
Rep. Llew Jones (R)  
Rep. Dave Kasten (R)  
Rep. Bill McChesney (D)  
Rep. Walter McNutt (R)  
Rep. Robert Mehlhoff (D)  
Rep. Penny Morgan (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Don Roberts (R)  
Rep. Cheryl Steenson (D)  
Rep. Dan Villa (D)

**Members Excused:** Rep. Bill Nooney (R)

**Members Absent:** None

**Staff Present:** Jon Moe, Legislative Branch  
Samuel Speerschneider, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 42, 3/4/2009; HB 512, 3/4/2009;  
HB526, 3/4/2009; HB 246, 3/4/2009;  
HB 565, 3/4/2009; HB 145, 3/4/2009;  
HB 12, 3/4/2009; HB 50, 3/4/2009;  
HB 56, 3/4/2009; HB 279, 3/4/2009

Executive Action: None

00:00:24 Chairman Sesso

**HEARING ON HB 50**

**Opening Statement by Sponsor:**

00:05:07 Rep. Bob Lake (R), HD 88, opened the hearing on HB 50,  
Require rules be consistent with legislative intent.

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:08:23 Anne Brodsky, Chief Legal Counsel, Governor's Office  
00:11:56 Candice West, Chief Counsel, Department of Natural  
Resources and Conservation  
00:14:05 Mark Cadwallader, Staff Attorney, Montana Department of  
Labor and Industry  
00:15:48 Nancy Butler, Montana State Fund

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:16:24 Rep. Henry  
00:18:00 Rep. Lake  
00:18:54 Rep. McChesney  
00:19:30 Ms. Brodsky  
00:20:08 Rep. McChesney  
00:20:41 Ms. Brodsky  
00:22:57 Rep. McChesney  
00:24:05 Rep. Getz  
00:24:20 Ms. Brodsky

**Closing by Sponsor:**

00:24:37 Rep. Lake

00:26:00 Chairman Sesso

**HEARING ON HB 56**

**Opening Statement by Sponsor:**

00:26:58 Rep. Russell Bean (R), HD 17, opened the hearing on  
HB 56, Increase pupil transportation reimbursements.

**Proponents' Testimony:**

00:28:26 Bob Gilbert, Montana School Bus Contractors Association  
00:28:51 Denise Ulberg, School Finance Administrator, Office of  
Public Instruction

**EXHIBIT (aph52a01)**

00:32:21 Bob Vogel, Montana School Board Association; School  
Administrators Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:33:35 Rep. Kasten  
00:34:00 Ms. Ulberg  
00:34:33 Rep. Kasten  
00:34:47 Ms. Ulberg  
00:35:25 Chairman Sesso  
00:35:39 Mr. Vogel  
00:36:04 Rep. Getz  
00:36:21 Rep. Bean  
00:36:46 Rep. Getz  
00:37:05 Rep. Bean

**Closing by Sponsor:**

00:37:27 Rep. Bean

**HEARING ON HB 565**

**Opening Statement by Sponsor:**

00:38:28 Rep. Timothy Furey (D), HD 91, opened the hearing on  
HB 565, Implement Montana veterans supplemental health  
insurance program.

**Proponents' Testimony:**

00:43:44 Charlie Cromwell, Law Student; Veteran  
[EXHIBIT](#)(aph52a02)

00:46:55 Staff Sergeant Adam Reid

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:48:53 Rep. Mehlhoff  
00:49:22 Rep. Furey  
00:49:30 Rep. Mehlhoff  
00:50:21 Rep. Ankney  
00:50:42 Rep. Furey  
00:51:15 Rep. Ankney  
00:51:57 Mr. Cromwell  
00:52:32 Chairman Sesso  
00:53:14 Mr. Cromwell

**Closing by Sponsor:**

00:53:29 Rep. Furey

**HEARING ON HB 145**

**Opening Statement by Sponsor:**

00:56:09 Rep. Dave McAlpin (D), HD 94, opened the hearing on  
HB 145, Legislator stipend during interim.

**Proponents' Testimony:**

01:02:15 Kate Cholewa, Montana Common Cause

**Opponents' Testimony:**

01:04:06 Mark French, Farmer

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:06:04 Rep. Morgan  
01:06:24 Rep. McAlpin  
01:06:50 Rep. Morgan

01:07:17 Mr. French  
01:07:27 Rep. Morgan  
01:08:20 Mr. French  
01:08:46 Rep. Glaser  
01:09:28 Rep. McAlpin  
01:09:35 Rep. Glaser  
01:10:37 Rep. McAlpin  
01:10:43 Rep. Glaser  
01:11:35 Rep. Kasten  
01:12:42 Mr. French  
01:12:48 Rep. Kasten  
01:13:01 Rep. Hollenbaugh  
01:13:49 Rep. McAlpin

**Closing by Sponsor:**

01:14:17 Rep. McAlpin

**HEARING ON HB 12**

**Opening Statement by Sponsor:**

01:15:43 Rep. Franke Wilmer (D), HD 64, opened the hearing on  
HB 12, Require employer contributions on working  
retirees under certain conditions.

**Proponents' Testimony:**

01:19:17 Roxanne Minnehan, Executive Director, Montana Public  
Employee Retirement Administration  
01:22:08 Tom Schneider, Montana Public Employees Association  
01:22:28 Tom Bilodeau, MEA-MFT

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:23:58 Rep. Roberts  
01:24:20 Rep. Wilmer  
01:25:24 Rep. Roberts  
01:26:10 Rep. Wilmer

**Closing by Sponsor:**

01:27:03 Rep. Wilmer

**HEARING ON HB 246**

**Opening Statement by Sponsor:**

01:28:13 Rep. Joel Boniek (R), HD 61, opened the hearing on  
HB 246, Exempt Montana-made firearms and ammunition  
from commerce clause.

**Proponents' Testimony:**

01:29:47 Doug Nulle, Attorney (retired)  
01:31:57 Mark French, Farmer

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:33:14 Rep. Boniek

**HEARING ON HB 279**

**Opening Statement by Sponsor:**

01:34:04 Rep. Michele Reinhart (D), HD 97, opened the hearing on  
HB 279, Revise laws relating to transportation.

[EXHIBIT\(aph52a03\)](#)

[EXHIBIT\(aph52a04\)](#)

**Proponents' Testimony:**

01:43:01 Harold Blattie, Executive Director, Montana Association  
of Counties

[EXHIBIT\(aph52a05\)](#)

01:46:36 Linda Stoll, Montana Association of Planners  
01:47:23 Gordon Morris, Lewis and Clark County  
01:48:09 Alec Hanson, Montana League of Cities and Towns  
01:49:37 Ed Bartlett, Yellowstone County  
01:49:52 Rep. Tim Furey, HD 91  
01:50:59 Jon McDonald, City of Missoula

**Opponents' Testimony:** None

**Informational Testimony:**

01:51:40 Jim Lynch, Director, Department of Transportation

**Questions from Committee Members and Responses:**

01:55:37 Rep. Villa  
01:56:42 Rep. Reinhart  
01:59:10 Rep. Villa  
02:00:12 Rep. Reinhart  
02:01:34 Rep. Hollenbaugh  
02:02:08 Mr. Lynch  
02:05:02 Rep. Hollenbaugh  
02:05:16 Rep. McChesney  
02:05:40 Mr. Lynch  
02:06:12 Rep. McChesney  
02:06:22 Mr. Lynch

**Closing by Sponsor:**

02:06:33 Rep. Reinhart

**HEARING ON HB 42**

**Opening Statement by Sponsor:**

02:07:58 Rep. Chas Vincent (R), HD 2, opened the hearing on  
HB 42, Forest management program for FWP land.

**Proponents' Testimony:**

02:09:54 Ellen Simpson, Montana Wood Products Association  
02:10:46 Jason Todhunter, Montana Logging Association  
02:11:22 Chris Smith, Deputy Director, Department of Fish,  
Wildlife and Parks  
02:12:47 Harold Blattie, Montana Association of Counties  
02:13:06 Jerry Wiese, Private Contractor

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:13:55 Rep. Getz  
02:14:22 Rep. Vincent

**Closing by Sponsor:**

02:14:29 Rep. Vincent

**HEARING ON HB 512**

**Opening Statement by Sponsor:**

02:15:22 Rep. Jill Cohenour (D), HD 78, opened the hearing on HB 512, Carry over of school district general fund balances.

**Proponents' Testimony:**

02:17:18 Bob Vogel, Montana School Board Association  
02:19:56 Dave Puyear, Director, Montana Rural Education Association

**Opponents' Testimony:**

02:22:02 Tom Bilodeau, MEA-MFT

**Informational Testimony:**

02:26:18 Joan Anderson, Office of Public Instruction  
[EXHIBIT\(aph52a06\)](#)  
02:29:30 Jim Standeart, Legislative Fiscal Division

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

02:29:51 Rep. Cohenour

**HEARING ON HB 526**

**Opening Statement by Sponsor:**

02:32:30 Rep. Scott Sales (R), HD 68, opened the hearing on HB 526, Prohibit use of certain salts on local and state roads.

**Proponents' Testimony:** None

**Opponents' Testimony:**

02:34:14 Dan Williams, self  
02:39:22 Vern Hisler, City of Billings  
02:42:36 Jon McDonald, City of Missoula  
02:44:46 Gordon Morris, Lewis and Clark County  
02:46:26 Gary Amestoy, Richland County Commissioners



02:47:23 Harold Blattie, Director, Montana Association of  
Counties

02:48:40 Alec Hanson, League of Cities and Towns

02:49:45 Richard Vick, Montana Vendors

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:50:48 Rep. Hollandsworth

02:51:13 Mr. Williams

**Closing by Sponsor:**

02:52:05 Rep. Sales

**Announcements:**

02:53:58 Chairman Sesso

**ADJOURNMENT**

02:55:39 Adjournment: 12:00 P.M.

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Samuel Speerschneider, Secretary

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Additional Documents:

**EXHIBIT ([aph52aad.pdf](#))**